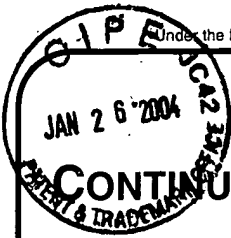


1-28-04 Image \$ RCE 1647
Express Mail Label No. EV352012798US

PTO/SB/30 Revised (5/20/00)

Approved for use through xx/xx/xx OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMBV control number.**REQUEST**

FOR

**CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|----------------------|---------------------------|
| Application Number | 08/943,776 |
| Filing Date | October 3, 1997 |
| First Named Inventor | Mariapia A. Degli-Esposti |
| Group / Art Unit | 1647 |
| Examiner Name | Lorraine Spector |
| Attorney Docket No. | 2849-A |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provision of the AIPA. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 26, 2003
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☒ Other: Information Disclosure Statement; Form PTO-1449, 2 cited references
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other: Request for Continued Examination; Certificate of Mailing; Postcard;

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 09-0089
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$770.00.
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) in the amount of \$_____. If an additional extension of time is required, please consider this a request therefor.
- iii. ☒ Other: Information Disclosure Statement fee required under 37 C.F.R. § 1.17(p) in the amount of \$180.00
- b. ☐ Check in the amount of \$_____ is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

| | | | |
|-------------------|----------------------------|-----------------------------------|------------------|
| NAME (Print/Type) | Christine M. Bellas | Registration No. (Attorney/Agent) | 34,122 |
| SIGNATURE | <i>Christine M. Bellas</i> | Date: | January 26, 2004 |

01/29/2004 YPOLITE1 00000024 090089 08943776

01 FC:1801 770.00 DA

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address:
Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Mariapia A. Degli-Esposti and Raymond
Goodwin

Docket No.: 2849-A

Group Art Unit: 1647

Serial No: 08/943,776

Examiner: Spector, Lorraine

Filed: October 3, 1997

For: Novel Receptor That Causes Cell Death

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Advisory Action mailed January 8, 2004 (paper No: 20040105), and pursuant to 37 C.F.R. § 1.114, Applicants respectfully request entry of this Request for Continued Examination ("R.C.E."). In addition, Applicants request entry and consideration of the Response to Office Action previously filed November 26, 2003, and Information Disclosure Statement previously submitted November 26, 2003. In addition Applicants respectfully request consideration of the additional Remarks set forth below, prepared in Response to the Advisory Action mailed January 8, 2004.

On November 26, 2003, Applicants timely filed a Notice of Appeal, which was noted in the Advisory Action as being filed on December 8, 2003. Applicants herein file the accompanying R.C.E. in lieu of an Appeal Brief within the two month period of time set forth in 37 C.F.R. § 1.192. Applicants consider that no Extension of Time is required for filing this R.C.E.

01/29/2004 YPOLITE1 00000024 090089 08943776

02 FC:1806 180.00 DA



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
Mariapia A. Degli-Esposti and Raymond Goodwin

Docket No.: 2849-A

Serial No: 08/943,776

Group Art Unit: 1647

Filed: October 3, 1997

Examiner: Lorraine Spector

For: NOVEL RECEPTOR THAT CAUSES CELL DEATH

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL

EXPRESS MAIL LABEL NUMBER: EV352012798US

Sir:

I hereby certify that the following correspondence is enclosed and being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date listed below, and is addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Postcard

Request for Continued Examination (RCE) Transmittal (1 pg. +copy)

Request for Continued Examination (3 pgs.)

Date:

January 26, 2004

Signed:

Camilla C. Edwards

Immunex Corporation
Law Department
51 University Street
Seattle, Washington 98101
Telephone: (206) 587-0430